

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**WEI JIEN**  
*Plaintiff*

v.

**GIRMA GONFA HIDAT and  
UBER TECHNOLOGIES, INC.**  
*Defendants*

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**C.A. NO. 20-4030**

**NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Pursuant to 28 U.S.C. §§1332, 1441, and 1446, Defendant Uber Technologies, Inc. (“Uber”) files this Notice of Removal, and respectfully shows as follows.

**A. Procedural Background**

1. Uber is a party to an action commenced against it by Plaintiff Wei Jien in the 129<sup>TH</sup> Judicial District Court of Harris County, Texas, styled as follows: Cause No. 2020-48078; *Wei Jien v. Girma Gonfa Hidat and Uber Technologies, Inc.*; In the 129<sup>TH</sup> Judicial District Court of Harris County, Texas (the “State Action”). True copies of the docket sheet and all process, pleadings and orders served on Uber in the State Action are contained in the Index of Documents filed contemporaneously with this Notice.

2. Uber was served with Plaintiff’s First Amended Petition in the State Action (the “Petition”) on October 29, 2020. Thus, this Notice of Removal is timely filed.

**B. Diversity of Citizenship**

3. Plaintiff’s First Amended Petition in the State Action establishes that the United States District Court for the Southern District of Texas, Houston Division, has jurisdiction by reason

of diversity of citizenship of the parties pursuant to 28 U.S.C. §1332. Plaintiff claims the incident occurred in Harris County, Texas. *See* Petition, Section II, Para. 7.0.

4. Plaintiff is now, and was at the time the State Action was filed, a citizen and resident of the state of New York. *See* Petition, Section II, Para. 3.0.

5. GIRMA GONFA HIDAT (“Hidat”) is now, and was at the time the State Action was filed, a resident of 5470 Gulfton Street, Apt. #1303, Houston, Texas 77081. As such, Hidat is a citizen of the State of Texas and was so at the time the State Action was filed. *See* Petition, Section II, Para. 5.0.

6. Uber is now, and was at the time the State Action was filed, a Delaware corporation with its principal place of business in San Francisco, California. As such, Uber is a citizen of the States of Delaware and California, and was so at the time the State Action was filed.

7. Therefore, because Plaintiff and Defendants are citizens of different states, there is complete diversity of citizenship.

**C. Diversity Jurisdiction — Amount in Controversy**

8. The amount in controversy exceeds \$75,000.00, excluding interest and costs in accordance with 28 U.S.C §1332. Plaintiff alleges in here First Amended Petition in the State Cort Action that she “seeks monetary relief of more than \$200,000 but less than \$1,000,000.” *See* Petition, Section I, Para. 2.0, and Section III, Para. 6.0.

**D. Original Jurisdiction**

9. Because there exists diversity of citizenship between Plaintiff and Defendants, and the amount in controversy exceeds the minimal jurisdictional requirements, this Court has original jurisdiction of this case, pursuant to 28 U.S.C. §1332. Pursuant to 28 U.S.C. §1441(a), this action

is properly removed to the United States District Court for the Southern District of Texas, the judicial district in which the state court suit was pending in Harris County, Texas.

**E. Removal is Timely.**

10. Uber was served with process on October 29, 2020. *See* Return of Service, included in Index of Document. Accordingly, removal is timely as it is being filed within thirty (30) days of the date that Uber was served with process in this matter.

11. All fees required by law in connection with this notice have been paid by Uber at the time of filing.

**E. Notice Given**

12. Notice of this Removal is provided by Uber to Plaintiff and to the 129<sup>th</sup> Judicial District Court of Harris County, Texas.

**F. Attachments**

13. All pleadings, process, and other filings in the state court action are attached to this notice as required by 28 U.S.C. 1446(a) and/or will be supplemented upon receipt from the State Clerk of Court.

**G. Consent**

14. At the time of filing, co-defendant GIRMA GONFA HIDAT has not been served and/or joined in the state court pleading. As such, no consent was required.

WHEREFORE, Defendant Uber Technologies, Inc. prays that this action be removed to the United States District Court for the Southern District of Texas — Houston Division, from the 129<sup>th</sup> Judicial District Court of Harris County, Texas.

Respectfully submitted,

**WILSON ELSEER MOSKOWITZ  
EDELMAN & DICKER, LLP**

/s/ *Kristie E. Johnson*

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**ATTORNEYS FOR DEFENDANT  
UBER TECHNOLOGIES, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument was electronically served on all counsel of record on November 25, 2020 as follows:

Edward C. Tredennick  
Kelsey T. Smith  
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**ATTORNEY FOR PLAINTIFF  
WEI JIEN**

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/s/ *Kristie E. Johnson*

Kristie E. Johnson